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## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

September 23, 2010

Project Name: Hefner-Brown Minor Subdivision (4 lots plus a remainder lot)

Project Number(s): 3200-21159 (TM), 3910-09-02-002 (ER)

**This Document is Considered Draft Until it is Adopted by the Appropriate County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for biological resources, cultural resources, noise, geological resources, fire protection, agricultural resources, stormwater and drainage.
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

**A. TRANSPORTATION**

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

**B. RESOURCE PROTECTION ORDINANCE**

1. **RESOURCE PROTECTION ORDINANCE STEEP SLOPE EASEMENT: [DPLU, PCC] [DGS, RP] [BP, GP, CP, UO] [DPLU, FEE X 2]. Intent:** In order to protect steep slope lands as defined in the [Resource Protection Ordinance \(RPO\)](#) Section 86.602.(p) a Steep Slope Open Space Easement shall be granted. **Description of Requirement:** Grant to the County of San Diego a RPO Steep Slope Open Space Easement as shown on the Tentative Parcel Map TPM 21159RPL2. This easement is for the protection of steep slope lands and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. The sole exceptions to this prohibition are:
  - a. Clearing of vegetation to protect existing or proposed structures that are in potential danger from fire, provided that the area of such clearance is the minimum necessary to comply with applicable fire codes or written orders of fire safety officials and that such slopes retain their native root stock or are replanted with native vegetation having a low fuel content, and provided further that the natural landform is not reconfigured.
  - b. Establishment or expansion of an agricultural operation, provided that the establishment or expansion of the operation must be completed in accordance with all applicable federal, state and local regulations (e.g., Clearing and Grading permit from the County of San Diego). The following shall be considered an agricultural operation for purposes of this exception: an operation that includes

the cultivation, growing, and harvesting of animals, nursery products and flower crops; fruit and nut crops; livestock and poultry products; vegetable crops; livestock and poultry (including their associated enclosures); field crops; apiary products; timber and firewood; and nonbearing fruit and nut crops.

## C. BIOLOGICAL RESOURCES

1. **BIOLOGICAL EASEMENT: [DPLU, PCC] [DPR TC, GPM] [DGS, RP] [MA, GP, IP] [DPLU, FEE X 2]** **Intent:** In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO) and the County of San Diego Guidelines for Determining Significance for Biological Resources, a biological open space easement shall be granted. **Description of Requirement:** Grant to the County of San Diego by separate document, an open space easement, or grant to the California Department of Fish and Game a conservation easement, as shown on the approved Tentative Parcel Map. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exceptions to this prohibition are:
  - a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
  - b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, Parks and Recreation or the Director of Public Works.

**Documentation:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated

with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [DPLU, PCC] for approval. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded. **Monitoring:** The [DGS, RP] shall prepare and approve the easement documents and send them to [DPLU, PCC] and [DPR TC, GPM] for preapproval. The [DPLU, PCC] shall preapprove the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [DPLU, PCC] for satisfaction of the condition.

2. **LBZ EASEMENT: [DPLU, PCC] [DGS, RP][MA, GP, IP] [DPLU, FEEX 2]**

**Intent:** In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO) and the County of San Diego Guidelines for Determining Significance for Biological Resources, a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **Description of Requirement:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the approved Tentative Parcel Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.
- b. Decking, fences, and similar facilities.
- c. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the

biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

**Documentation:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [DPLU, PCC] for approval. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **Monitoring:** The [DGS, RP] shall prepare and approve the easement documents and send them to [DPLU, PCC] for pre approval. The [DPLU, PCC] shall preapprove the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [DPLU, PCC] for satisfaction of the condition.

3. **OPEN SPACE SIGNAGE: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE]**  
**Intent:** In order to protect the proposed open space easement from entry, informational signs shall be installed. **Description of Requirement:** Open space signs shall be placed along the biological open space boundary as indicated on the approved Preliminary Grading Plan. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources  
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: 3200-21159, 3910-09-02-002

**Documentation:** The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor, that the open space signs have been installed at the boundary of the open space easement. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the open space signs shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

4. **OPEN SPACE FENCING: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE]**  
**Intent:** In order to protect the proposed open space easement from entry, and disturbance, permanent fencing shall be installed. **Description of Requirement:** Open space fencing shall be placed along the biological open space boundary as indicated on the approved Preliminary Grading Plan. The fencing design shall consist of split rail fencing at least 4-feet in height. **Documentation:** The applicant shall install the fencing as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed. **Timing** Prior to the approval of the and prior to the approval of any plan and issuance of any permit, the fencing or walls shall be placed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.
5. **“TEMPORARY FENCING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE].** **Intent:** In order to prevent inadvertent disturbance to proposed onsite open space, temporary construction fencing shall be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing.
- a. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
  - b. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

**Documentation:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement. The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, PCC] for approval. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **Monitoring:** The [DPLU, PCC] shall either attend the preconstruction conference and approve the installation

of the temporary fencing, or review the certification and pictures provided by the applicant.”

6. **“RESOURCE AVOIDANCE: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2].**  
**Intent:** In order to avoid impacts to avian species, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans.  
**Description of Requirement:** There shall be no brushing, clearing and/or grading such that none will be allowed during the avian breeding season within Resource Avoidance Area (RAA) “A” as indicated on these plans. The breeding season is defined as occurring between January 15 and August 31. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no nesting avian species are present in the vicinity of the brushing, clearing or grading. **Documentation:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **Timing:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **Monitoring:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, PCC] is received. The [DPLU, PCC] shall review the concurrence letter.”
  
7. **OPEN SPACE SIGNAGE & FENCING: [DPLU, PCC] [DPW, PDCI] [FG, UO] [DPLU, FEE].** **Intent:** In order to comply with Conditions C3 and C4 pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for TPM 21159, the fencing and signage shall be installed.  
**Description of Requirement:** The permanent fences and open space signs shall be placed along the open space boundary as shown on these plans and the Approved Conceptual Grading and Development Plan for TPM 21159.
  - a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.

- b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources  
Area Restricted by Easement**

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Department of Planning and Land Use  
Reference: 3200-21159, 3910-09-02-002

**Documentation:** The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [DPLU, PCC]. **Timing:** Prior to the occupancy of any structure and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)) the fencing and signage shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

8. **“EASEMENT AVOIDANCE: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE].**  
**Intent:** In order to protect sensitive resources, pursuant to [County Grading Ordinance Section 87.112](#) the open space easements shall be avoided. **Description of Requirement:** The easement indicated on this plan is for the protection of sensitive environmental resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the [County Grading Ordinance Section 87.112](#) and will result in enforcement action and restoration. The only exceptions to this prohibition are:
  - a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, Parks and Recreation or the Director of Public Works.

**Documentation:** The applicant shall provide a letter statement to the [DPLU, PCC] stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. **Timing:** Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. **Monitoring:** The [DPW, PDCI] shall not allow any grading, clearing or encroachment into the open space easement.”

#### D. NOISE

1. **NOISE RESTRICTION EASEMENT: [DPLU, BPPR] [DPLU, PCC] [MA] [DPLU, FEE X 1] Intent:** In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), and the [County of San Diego CEQA Noise Guidelines for Determining Significance](#), a noise restriction easement shall be placed on the parcel to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated on the approved Tentative Parcel Map over the entire project site, shall be granted on the map. The said easement shall include and shall comply with the following:
  - a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60 dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by [the General Plan Noise Element \(Policy 4.b\)](#).
    1. Future traffic noise level estimates, must utilize a Level of Service “C” traffic flow for a Highway roadway for Interstate 15, which is its designated General Plan Circulation Element buildout roadway classification.

- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [DPLU, BD] for review and approval before the building permits can be issued. To the satisfaction of the [DPLU, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

**Documentation:** The applicant shall indicate the noise restriction easement on the map as indicated on the tentative parcel map. **Timing:** Prior to the approval of the parcel map, the requirements of this condition shall be completed. **Monitoring:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

2. **NOISE MONITORING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE X3].**

**Intent:** In order to ensure grading operations on Parcel 3 do not exceed the sound level limits as specified within the County Noise Ordinance, Section 36.409. All grading for the construction of the earthen berm located on Parcel 3 shall be monitored by a noise monitor. **Description of Requirement:** A County approved Noise Consultant shall perform noise monitoring during all grading for the construction of the earthen berm on Parcel 3. The Project Noise Consultant shall also perform the following duties before construction to comply with the conditions of this Grading Plan and TPM 21159:

- a. Supervise and verify placement of the ten (10') foot high temporary noise barrier. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section.

- b. The Noise Consultant shall attend the preconstruction meetings and other meetings to discuss construction requirements for Parcel 3. Such meeting shall include the DPLU Permit Compliance Section.

**Documentation:** The Noise Monitor shall prepare written documentation that certifies that the temporary noise barrier has been installed. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances on Parcel 3, this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the Noise Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and verify the installation of the temporary noise barrier.

3. **TEMPORARY NOISE IMPACTS: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE X1]. Intent:** In order to comply with the [County of San Diego Noise Ordinance 36.409](#) and the adopted Mitigation Monitoring and Reporting Program (MMRP) for TPM 21159, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction. **Description of Requirement:** The ten (10') foot temporary noise attenuation barrier shall remain in place as indicated on this plan, and shall be monitored for compliance with this condition. The installation of the 10-foot high temporary noise barrier is to block the construction equipment noise from the nearest property boundary line to the south when equipment is located within 50 feet of this boundary during the grading of the permanent earthen berm noise barrier. The mitigation is designed and placed to reduce construction noise that potentially will affect the adjacent residential use located to the south.
  - a. The ten (10') foot high temporary noise barrier shall be maintained for the duration of the construction equipment operations that will create noise greater than 75 dB at the southern property line of Parcel 3 as indicated above. The temporary noise barrier is for grading of the permanent earthen berm noise barrier on Parcel 3.
  - b. Daily noise monitoring for grading of the earthen berm shall occur to verify that the noise from the site complies with this condition.
  - c. A bi-weekly monitoring report shall be prepared by a County approved Acoustician, which summarizes the noise levels generated by the project construction. If the project noise levels are

not in compliance, all construction activities shall cease or be reduced until the further mitigation is approved by the [DPLU, PCC].

**Documentation:** The applicant shall maintain the sound attenuation mitigation as indicated above until all grading activities in constructing the earthen berm have been completed. The applicant shall submit the bi-weekly monitoring report to the [DPLU, PCC] for review and approval. The applicant is responsible for implementing any further mitigation to remain in compliance with this condition. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPLU, PCC] shall review the monthly monitoring reports for compliance with this condition. If an alternative methods, or reduced equipment proposal is provided, [DPLU, PCC] shall review the new mitigation for compliance with this condition. The [DPW, PDCI] shall ensure that the noise mitigation barriers remain in place as indicated on this plan.

4. **NOISE MONITORING REPORT: [DPLU, PCC] [DPLU, FEE ]. Intent:** In order to comply with the [County of San Diego Noise Ordinance 36.409](#) and the adopted Mitigation Monitoring and Reporting Program (MMRP) for TPM 21159, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction. **Description of Requirement:** A County approved Acoustician, shall prepare a final noise monitoring report, which summarizes the noise levels generated by the project construction. If the project noise levels are were not in compliance, the report shall detail all actions taken to minimize the noise impacts and the alternative noise mitigation methods used. **Documentation:** The applicant shall submit the final noise monitoring report to the [DPLU, PCC] for review and approval. **Timing:** Prior to rough grading approval and issuance of any building permit the final report shall be provided and approved. **Monitoring:** The [DPLU, PCC] shall review the final monitoring report for compliance with this condition, and notify the [DPW, PDCI] when it is completed.
  
5. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), a permanent noise barrier shall be installed on **Parcel 2** to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. **Description of Requirement:**

- a. A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the six (6') foot high noise barrier on Parcel 2 located along the southern and southeastern edge of the pad has been constructed pursuant to the approved grading plan.
- b. The six (6') foot high noise barrier for Parcel 2 can be constructed of earthen berm, masonry block wall, ¼-inch thick glass or any combination of these materials.

**Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDC] that the requirement is completed.

6. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), an earthen berm noise barrier shall be installed on **Parcel 4** to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. **Description of Requirement:**
  - a. A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that an earthen berm on Parcel 4 has been constructed along the southeastern portion of the pad edge pursuant to the approved grading plan.
  - b. The earthen berm noise barrier would have a starting elevation of 310-feet beginning in the southern portion of the parcel, rising to an elevation of 364-feet running in the northeasterly direction between the Parcel 4 pad and Interstate 15.

**Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the

photos for compliance with this condition, and shall inform [DPW, PDC] that the requirement is completed.

7. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), an earthen berm noise barrier shall be installed on **Parcel 3** to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. **Description of Requirement:**
- a. A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the earthen berm noise barrier has been constructed along the southern portion of Parcel 3 pursuant to the approved grading plan.
  - b. The earthen berm design is located along the southern parcel boundary line varying in elevation height, starting a 314-foot to 350-foot running in the east and west direction.

**Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDC] that the requirement is completed.

## E. GEOLOGY

1. **GEOLOGIC HAZARDS [DPLU, PCC] [BP, UO] [DPLU, FEE] Intent:** In order to remove rockfall hazards from adversely affecting proposed buildings or structures, and to comply with the [County Guidelines for Determining Significance for Geologic Hazards](#), the rockfall hazards shall be mitigated. **Description of requirement:** The potential rockfall hazards as identified in the Update Geologic Reconnaissance Report dated July 29, 2010 written by Vinje & Middleton Engineering, Inc. shall be mitigated. Rockfall mitigation measures are identified on page 4 of the report. A letter of certification shall be provided by a California Registered Professional Engineer or Certified Engineering Geologist, which states that the identified rockfall hazards above the house pad on Parcel 3 have been mitigated in accordance with the recommendations within the

Geologic Reconnaissance Report. The certification letter shall be accompanied with photodocumentation of mitigated areas before and after rockfall hazards mitigation occurs. **Documentation:** The applicant shall mitigate rockfall hazards as identified above, and provide certification letter report to the [DPLU, PCC]. **Timing:** Prior to approval of any building plans and issuance of any building permit, the potential rockfall hazard shall be mitigated. **Monitoring:** The [DPLU, PCC] shall review the rockfall hazard certification report for compliance with this condition.

3. Critical Project Design Elements That Must Become Conditions of Approval:

*The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.*

**APPROVAL OF MAP:** THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (Where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

1. **COST RECOVERY: [DPLU, DPW, DEH, DPR], [MA, GP, IP] Intent:** In order to comply with [Section 362 of Article XX of the San Diego County Administrative Code](#), Schedule B.5 existing deficit accounts associated with processing this permit shall be paid. **Description of requirement:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **Documentation:** The applicant shall provide a receipt to the Department of Planning and Land Use, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit accounts. **Timing:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and discretionary deposit accounts shall be paid. **Monitoring:** The DPLU Zoning Counter shall review the receipts and verify that all DPLU, DPW, DEH, and DPR deposit accounts have been paid.
2. **GRADING PLAN CONFORMANCE: [DPW, ESU] [DPR, TC PP] [GP, IP, MA] Intent:** In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall

conform to the approved Conceptual Grading and Development Plan. **Description of requirement:** The grading and or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: biology and noise. **Documentation:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **Monitoring:** The [DPW, ESU, or DPLU, BD for DPLU Minor Grading, [DPR, TC for trails and PP for park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

3. **PUBLIC ROAD CONNECTION: [DPW, LDR] [MA]. Intent:** In order to ensure that the subdivision is connected to a publicly maintained road and to comply with the [County Subdivision Ordinance Section 81.702](#), recorded documentation shall be provided. **Description of requirement:** Recorded documentation showing that the land division is connected to a publicly maintained road by an easement for road purposes shall be provided. The easement shall be forty feet (40') wide as specified in County Subdivision Ordinance Section [81.702](#), of the County Code, and shall be for the benefit and use of the property being divided. Recordation data for said easement shall be shown on the Parcel Map. This requirement applies to offsite access to all proposed parcels. **Documentation:** The applicant shall submit to the [DPW, LDR], proof that the subdivision is connected to a publicly maintained road, and indicate the access on the parcel map. **Timing:** Prior to the approval of the parcel map, the connection shall be verified. **Monitoring:** The [DPW, LDR] shall verify that the evidence provided meets the requirement of this condition.
  
4. **SIGHT DISTANCE: [DPW, LDR] [MA] Intent:** In order to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **Description of requirement:** There shall physically be minimum adequate unobstructed sight distance based upon County Public Road Standards Section 6.1.E in both directions along Via Urner Way from Aqueduct Road.

- a. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

**Documentation:** The applicant shall have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [DPW, LDR] for review. **Timing:** Prior to the approval of the parcel map the sight distance shall be verified. **Monitoring:** The [DPW, LDR] shall verify the sight distance certifications.

5. **SIGHT DISTANCE: [DPW, LDR] [MA] Intent:** In order to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **Description of requirement:** There shall physically be minimum adequate unobstructed sight distance based upon County Public Road Standards Section 6.1.E in both directions along Camino Del Rey from the alternative offsite private easement access road serving the land division.

- a. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

**Documentation:** The applicant shall have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [DPW, LDR] for review. **Timing:** Prior to the approval of the parcel map the sight distance shall be verified. **Monitoring:** The [DPW, LDR] shall verify the sight distance certifications.

6. **PRIVATE ROAD CERTIFICATION: [DPW, LDR], [MA] Intent:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.702](#), the improved quality of Aqueduct Road shall be certified. **Description of requirement:** The private easement road, Aqueduct Road, from the land division to Via Urner Way, shall be certified to ensure that it is graded to a minimum width of twenty-eight feet (28') and to a minimum improved width of twenty-four feet (24') with asphalt

concrete pavement over approved base [or six inches (6") of disintegrated granite], and is to the satisfaction of the Deer Springs Fire Protection District and the Director of Public Works. The certification shall also state that the road meets the improvement and design standards of Section 3.1(C) of the [County Standards for Private Roads](#) for one hundred one (101) to seven hundred fifty (750) trips and is constructed within the easement for the benefit of the land division. The road shall meet all other Sections of the [County Standards for Private Roads](#). **Documentation:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement that the private easement road, Aqueduct Road, from the land division to Via Urner Way, meets the standards of this condition. The engineer or surveyor shall further certify that the road meets all other Sections of the [County Standards for Private Roads](#). **Timing:** Prior to the approval of the parcel map, the road shall be certified. **Monitoring:** The [DPW, LDR] shall review the certification for constancy with the condition and County Standards.

7. **ROAD STANDARDS [DPW, LDR] [MA] Intent:** In order to promote orderly development, pursuant to the [County Subdivision Ordinance Sec. 81.702](#), and to comply with the [County Standards for Private Roads](#), the to-be-named onsite private road easement centerline horizontal radius shall be shown. **Description of Requirement:**

- a. The centerline horizontal radii shall be a minimum of one hundred feet (100') for the to-be-named private road easement onsite.

The road shall also meet all other Sections of the [County Standards for Private Roads](#). **Documentation:** The parcel map shall show the onsite private easement road horizontal radius as stated above. **Timing:** Prior to the approval of the parcel map, the condition shall be completed. **Monitoring:** The [DPW, LDR] [DPR, TC, PP] shall review the plans in compliance with this condition.

8. **UTILITY CONCURRENCE LETTERS: [DPW, LDR] [GP, IP,MA] Intent:** In order to provide adequate notice to the serving utility companies that the improvements are going to possibly affect their utilities, letters of concurrence shall be provided. **Description of requirement:** Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, letters shall be obtained from each serving utility company. The letters shall state that the arrangements are satisfactory to the utility for which the parcels being created serve. No letter will be required from the following: AT&T/SBC,

Olivenhain Municipal Water District, Yucca Mutual Water Company, and the Rainbow Municipal Water District. **Documentation:** The applicant shall obtain the letters and submit them to the [DPW LDR] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the parcel map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

9. **UTILITY CONCURRENCE LETTERS: [DPW, LDR] [GP, IP,MA] Intent:** In order to inform the local public entities and utility companies that the parcel map is going to be approved by the County, and to comply with Section 66436 of the Government Code, letters of concurrence for signature of on the map shall be provided. **Description of requirement:** A certification from each public utility and each public entity owning easements within the proposed land division shall be provided to the County. **Documentation:** The applicant shall obtain the letters, which state that each of the public entities have received a copy of the proposed Parcel Map, and that they object or do not object to the filing of the Map without their signature. The applicant shall submit the letters to the [DPW LDR] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the parcel map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.
  
10. **ANNEX TO LIGHTING DISTRICT: [DPW, LDR] [DPLU, ZONING] [UO]. Intent:** In order to promote orderly development and to comply with the Street Lighting Requirements of the [County Subdivision Ordinance Section 81.706](#) the property shall transfer into the lighting district. **Description of requirement:** Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer. **Documentation:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [DPLU, ZONING]. **Timing:** Prior to approval of the parcel map, the fee shall be paid. **Monitoring:** The [DPLU, ZONING] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.
  
11. **STREET NAME: [DPW, LDR] [MA]. Intent:** In order to provide a name for the private easement road serving the land division, naming of the road is necessary for the health and safety of present and future residents. **Description of Requirement:** The private easement road serving this project shall be named. **Documentation:** The applicant shall contact the Street Address Section of the Department of Planning and Land Use (858-694-3797) to discuss the road naming requirements for

the development. The applicant shall pay all applicable processing fees for the naming of the road. **Timing:** Prior to approval and preparation of the Parcel Map, the road shall be named. **Monitoring:** The [DPLU, BD] shall provide a name to the applicant. Upon issuance of the road name, the street section shall provide [DPW, LDR] the road name information. The [DPW, LDR] Map Processing, shall ensure that the appropriate road name has been added to the parcel map.

12. **PRIVATE ROAD MAINTENANCE AGREEMENT: [DPW, LDR] [MA].**  
**Intent:** In order to ensure that the private roads approved with this subdivision are maintained, the applicant shall assume responsibility of the private roads. **Description of Requirement:** Maintenance agreements shall be executed that indicate the following:

- a. Maintenance shall be provided through private road maintenance agreements satisfactory to the Director of Public Works.
- b. The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Parcel Map as to the final title (status) of said roads.

**Documentation:** The applicant shall sign the private road maintenance agreements to the satisfaction of the Director of DPW and indicate the ownership on the map as indicated above. **Timing:** Prior to the approval of the Parcel Map, the agreements shall be executed and the ownership shall be indicated on the map. **Monitoring:** The [DPW, LDR] shall review the executed agreements and the map for compliance with this condition.

**PRIVATE IMPROVEMENTS:** *(The following Private Improvements shall be completed before the approval of the Parcel Map, or enter into a secured agreement for their completion).* [DPLU]

13. **COVENANT OF IMPROVEMENTS: [DPW, LDR] [MA]** **Intent:** In order to allow the deferment of the private improvements required by [Subdivision Ordinance Sec. 81.708](#), a covenant of improvements shall be executed and recorded if the private improvements listed in this decision are not completed before approval of the tentative parcel map. **Description of requirement:** The applicant shall complete all of the private improvements or execute a Covenant of improvements pursuant to the [County Subdivision Ordinance Section 81.708](#), which lists conditions that remain to be completed. An improvement plan and cost estimate shall be prepared for the private improvements and the estimated costs of

the improvements shall be included in the Covenant. The Covenant shall be recorded and noted on the Parcel Map.

- a. Said Covenant shall be titled, "Covenant of Improvement Requirement, a Building Permit Prohibition." No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilizes within a the private easement may be issued.
- b. For water storage facilities and or fuel breaks, a release of improvement requirements is only required to state that the improvements have been complied with for the particular parcel for which a building permit is being requested.

**Documentation:** The applicant shall prepare the improvement plans, provide a cost estimate as indicated below:

- a. Improvement Plans with sufficient detail shall be prepared for the purposes of providing the required estimate of cost for the private improvements. The covenant shall note the estimate of cost to install and/or construct any deferred improvements. The estimate of costs shall be based upon the approved improvement plans.
- b. The plans shall include a signed statement by the private engineer-of-work which states, "The plans are sufficient for the purpose of providing the required estimate of the cost for the private easement roads, private facilities, and any other private improvements deemed necessary pursuant to the [County Subdivision Ordinance Section 81.708](#)."
- c. The estimate shall have the engineer's signature and stamp on the front page along with a statement that reads, "The estimate of the approximate costs as of the date the estimate was prepared for the private improvements required by the final notice of approval and the County of San Diego Private Road Standards."

The applicant shall prepare the map with the covenant. The Covenant shall be placed on the face of the parcel map, and recorded with the map.

**Timing:** Prior to the approval of the parcel map, improvements shall be completed or the plans and the cost estimate shall be prepared, approved

and the covenant prepared and recorded. **Monitoring:** The [DPW, LDR] shall verify that the cost estimate's validity, and that the plans can be approved, but shall stamped, "Not approved for construction," pursuant to this condition. The [DPW, LDR] Map Processing shall verify that the covenant is recorded on the map.

14. **PRIVATE ROAD IMPROVEMENTS (COVENANT): [DPW, LDR] [MA]**

**Intent:** In order to promote orderly development necessary for public health and safety of the area, and to comply with the [Subdivision Ordinance Sec. 81.708](#), the required private improvements shall be completed or deferred. **Description of Requirements:**

- a. The onsite private easement road (Aqueduct Road), from the vicinity of the southwesterly corner of Parcel 1 northerly to the northerly boundary of the land division, shall be graded a minimum twenty-eight feet (28') wide and improved a minimum twenty-four feet (24') wide with asphalt concrete, to the satisfaction of the Deer Springs Fire Protection District and the County Department of Public Works. Where conforming to horizontal and vertical design criteria of current County Private Road Standards, existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100) or less trips shall apply.
- b. The to-be-named onsite private easement road serving the land division, from the vicinity of the southeasterly corner of the land division northerly and thence westerly to Aqueduct Road, shall be graded a minimum twenty-eight feet (28') wide and improved a minimum twenty-four feet (24') wide with asphalt concrete, to the satisfaction of the Deer Springs Fire Protection District and the County Department of Public Works. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100) or less trips shall apply.
- c. The alternative offsite private easement access road, from the vicinity of the southeasterly corner of the land division to Camino Del Rey, shall be graded a minimum twenty-eight feet (28') wide and improved a minimum twenty-four feet (24') wide with asphalt concrete pavement over approved base, to the satisfaction of the Deer Springs Fire Protection District and the County Department of Public Works. Where conforming to horizontal and vertical design

criteria of current County Private Road Standards, existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The improvement and design standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100) or less trips shall apply.

- d. Plans and a processing deposit for the private road improvements, as determined by the County of San Diego, Department of Public Works, shall be submitted to the Improvements and Grading Group of the County of San Diego, Department of Public Works. All improvement plans shall be designed in accordance with County Standards for Private Roads.
- e. Prior to construction of private road improvements, the subdivider shall notify the County of San Diego, Department of Public Works, submit copies of the blueline plans, and post an inspection deposit.

**Documentation:** The applicant shall complete the following:

- a. Process and obtain approval of the grading or Improvement Plans to improve the private easement roads, and provide the cost estimate. All plans and improvements shall be completed pursuant to the [County of San Diego Private Road Standards](#) and the [DPW Land Development Improvement Plan Checking Manual](#).
- b. The improvements shall be completed and a secured agreement shall be executed pursuant to [Subdivision Ordinance Sec. 81.708](#), for the required improvements, or execute a covenant of improvements to defer the requirements until after the map is recorded.

**Map Timing:** Prior to approval and recordation of the Parcel Map, this requirement shall be completed or a recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilizes within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall review the plans for constancy with the condition and County Standards. Upon approval of the

plans and cost estimate [DPW, LDR] shall have this condition placed in the covenant of improvements and recorded with the map.

15. **STREET SIGNS: (DEFERRED) [DPW, LDR] [DPW, PDCI] [MA] Intent:** In order to provide a name for the private roads, placing street signs is necessary for the health and safety of present and future residents. **Description of Requirement:** Street name signs, with a County approved street name, shall be installed and located at the intersection of the to-be-named alternative offsite private easement access road and Camino Del Rey, and at the intersection of the to-be-named onsite private easement road serving the land division and Aqueduct Road, per [San Diego County Design Standards DS 13](#). **Documentation:** The applicant shall install street signs pursuant to this condition, and provide evidence to the [DPW, LDR] that they are installed. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that the streets signs are indicated on the plans. The [DPW, PDCI ] shall verify the installation of the required street signs before final grading release.
  
16. **FIRE LANES: (DEFERRED) [DPW, LDR] [DPW, PDCI] [FIRE] [MA] Intent:** In order to provide proper clearance for fire apparatus on the onsite private easement road serving the land division, which is necessary for the health and safety of present and future residents, curbs shall be painted red and/or signs shall be installed. **Description of Requirement:** The onsite to-be-named private easement road serving the land division shall either be posted with "NO PARKING" signs or improved with red-painted curbs marked "No Parking Fire Lane" to the satisfaction of the Deer Springs Fire Protection District. **Documentation:** The applicant shall indicate the fire lane requirement on the plans, and implement the requirements pursuant to the timing of this condition. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision](#)

[Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued.

**Monitoring:** The [DPW, LDR] shall verify that the Fire Protection District is satisfied with the implementation of the no-parking zones before final grading release of the grading plans and before release of the covenant.

17. **PAVEMENT CUT POLICY: (DEFERRED) [DPW, LDR] [GP, IP,MA]**  
**Intent:** In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **Description of requirement:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **Documentation:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy to the satisfaction of the Department of Public Works (DPW), and submit it to the [DPW LDR] for review. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** Prior to the approval of grading and/or improvement plans for the Parcel Map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.
  
18. **IMPROVEMENT CERTIFICATION: (DEFERRED) [DPW, LDR] [MA].**  
**Intent:** In order ensure that the proposed work on the private road easement stays within the private road easement, and to comply with County ordinances & road standards, a letter of certification shall be provided. **Description of Requirement:** The onsite private easement road (Aqueduct Road), including all slopes, from the vicinity of the southwesterly corner of Parcel 1 northerly to the northerly boundary of the land division, shall be constructed entirely within the easement, including drainage structures, for the benefit of the land division. If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or a letter of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits. **Documentation:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed

statement, which certifies that the improvements were constructed entirely within the easement, including drainage structures, for the benefit of the land division pursuant to this condition. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that this requirement has been placed in the Covenant of improvements for the parcel map. Upon completion of the improvements, the [DPW, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

19. **IMPROVEMENT CERTIFICATION: (DEFERRED) [DPW, LDR] [MA].**  
**Intent:** In order ensure that the proposed work on the private road easement stays within the private road easement, and to comply with County ordinances & road standards, a letter of certification shall be provided. **Description of Requirement:** The to-be-named onsite private easement road serving the land division, including all slopes, from the vicinity of the southeasterly corner of the land division northerly and thence westerly to Aqueduct Road, shall be constructed entirely within the easement, including drainage structures, for the benefit of the land division. If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or a letter of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits. **Documentation:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement, which certifies that the improvements were constructed entirely within the easement, including drainage structures, for the benefit of the land division pursuant to this condition. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that this requirement

has been placed in the Covenant of improvements for the parcel map. Upon completion of the improvements, the [DPW, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

20. **IMPROVEMENT CERTIFICATION: (DEFERRED) [DPW, LDR] [MA].**  
**Intent:** In order ensure that the proposed work on the private road easement stays within the private road easement, and to comply with County ordinances & road standards, a letter of certification shall be provided. **Description of Requirement:** The alternative offsite private easement access road, including all slopes, from the vicinity of the southeasterly corner of the land division to Camino Del Rey, shall be constructed entirely within the easement, including drainage structures, for the benefit of the land division. If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or a letter of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits. **Documentation:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement, which certifies that the improvements were constructed entirely within the easement, including drainage structures, for the benefit of the land division pursuant to this condition. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that this requirement has been placed in the Covenant of improvements for the parcel map. Upon completion of the improvements, the [DPW, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

\_\_\_\_\_

on \_\_\_\_\_

Rich Grunow, Planning Manager  
Project Planning Division

EG:RG:ag